

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAKOTA J. ROMERO,

Plaintiff

Case No. 3:24-cv-00527-ART-CSD

ORDER

v.

DOE MEDICAL PROVIDER,

Defendant

I. DISCUSSION

Plaintiff files the following motions: (1) motion to issue subpoena (ECF No. 19); (2) motion for enlargement of time (ECF No. 20); and (3) motion to modify subpoena duces tecum (ECF No. 21).

In the motion to issue subpoena, Plaintiff seeks to file another subpoena duces tecum to obtain camera footage showing that Doe Medical Provider stopped his physical therapy and use of the parallel bars. (ECF No. 19 at 2.) The Court **DENIES** this motion without prejudice because it is a thinly veiled effort to begin discovery in the screening stage of the litigation. Plaintiff explicitly states he wants this footage to show to “a jury when that time comes.” (*Id.*) In addition, Plaintiff may not file another motion for a subpoena because Interested Party, Nevada Department of Corrections (“NDOC”), already filed a certificate of compliance (ECF No. 17), stating that it complied with Plaintiff’s initial motion to issue a Rule 45 subpoena duces tecum to uncover the identity of Doe Medical Provider. Plaintiff may not use this motion to jumpstart the discovery process. The motion to issue subpoena (ECF No. 19) is **DENIED** without prejudice.

In his second motion before the Court, Plaintiff requests an enlargement of time to provide the Court with the true name of Doe Medical Provider. (ECF No. 20 at 2.) The motion does not state how much more time Plaintiff needs. (*Id.*) The current deadline the Court set is **August 1, 2025**. (ECF No. 11 at 2.) The Court **GRANTS** Plaintiff’s motion for enlargement of time (ECF No. 20) and will allow him until **August 22, 2025, to file a motion requesting the Court to substitute the doe defendant’s real name and add**

1 **him or her to the docket.** If Plaintiff fails to file the motion to substitute, the Court will
2 dismiss this action without prejudice.

3 Finally, the Court **DENIES** the motion to modify subpoena duces tecum because
4 the NDOC already complied with his initial Rule 45 subpoena, and Plaintiff does not give
5 a clear reason why he seeks to modify his subpoena duces tecum. (ECF No. 21 at 1.)

6 **II. CONCLUSION**

7 **FOR THE FOREGOING REASONS, IT IS ORDERED** that Plaintiff's motion to
8 issue subpoena (ECF No. 19) is **DENIED** without prejudice.

9 **IT IS FURTHER ORDERED** that Plaintiff's motion for enlargement of time (ECF
10 No. 20) is **GRANTED**. Plaintiff shall have until **August 22, 2025, to file a motion**
11 **requesting the Court to substitute the doe defendant's real name and add him or**
12 **her to the docket.**

13 **IT IS FURTHER ORDERED** that Plaintiff's motion to modify his subpoena duces
14 tecum (ECF No. 21) is **DENIED** without prejudice.

15 DATED THIS 24th day of July 2025.

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17 UNITED STATES MAGISTRATE JUDGE